

REMARKS

I. Status of Application

Claims 1 and 3-7 are all the claims pending in the application. Claims 1 and 3-7 presently stand rejected.

II. Claim Rejections Under 35 U.S.C. § 103

Claims 1-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ueno (JP 08-030413) in view of newly cited Yamada et al. (6,932,523). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

As an initial matter, Applicant notes that claim 2 was previously canceled without prejudice or disclaimer and, therefore, the Examiner's rejection of claim 2 on page 2 of the 07/03/08 Office Action is improper for *at least* these reasons.

Further, with respect to claims 1 and 3-7, Applicant notes that in order for the Examiner to maintain a rejection under 35 U.S.C. §103, the cited references must teach or suggest all of the recitations of claims 1 and 3-7. Applicant respectfully submits that Ueno, Yamada, and any combination thereof, fails to teach or suggest all of the recitations of claims 1 and 3-7.

A. Independent Claim 1

For example, without conceding to the merits of the Examiner's rejections, Applicant has amended claim 1, as set forth above, to recite (among other things):

...wherein said data management operation selects and deletes printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size.

Ueno, Yamada, and any combination thereof, fail to teach or suggest these features. The grounds of rejection rely on Yamada as allegedly teaching the features of wherein said data management operation selects and deletes printing data using data selection priority information associated with said management information. However, Yamada nowhere teaches, or even remotely suggests, selecting and deleting printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size, as claimed.

Contrary to the recitations of claim 1, Yamada merely teaches that, when the total size of print data already stored in the spool region 314a is judged to exceed a preset reference data size, then print data sets that are selected according to predetermined conditions in the print management information are deleted from the spool region 314a (column 20, lines 59-62). However, Yamada provides no teaching or suggestion whatsoever regarding selecting and deleting print data using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size, as recited in claim 1. Indeed, Yamada makes no mention at all regarding either stipulating a lower deletion priority for a higher frequency of use or stipulating a lower deletion priority for a larger size. Moreover, Ueno fails to remedy the deficient teachings of Yamada.

Therefore, claim 1 is patentable over the cited references for *at least* these reasons. Further, the dependent claims 3-5 are patentable *at least* by virtue of their dependency. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

B. Independent Claims 6 and 7

In view of the similarity between the requirements of claims 6 and 7 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claims 6 and 7. As such, it is respectfully submitted that claims 6 and 7 are patentably distinguishable over the cited references *at least* for reasons analogous to those presented above. Thus, the allowance of these claims is respectfully solicited of the Examiner.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: October 3, 2008